

Appl. No. 09/840,743
Amdt. dated June 3, 2005
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 1638

PATENT

REMARKS/ARGUMENTS

The previously-filed terminal disclaimer was not approved because allegedly no statement under 37 CFR 3.73(b) was filed and because the signer's title was not provided on the terminal disclaimer. This response addresses both issues.

Applicants filed a statement under 37 CFR 3.73(b) on October 8, 2001. A postcard indicating receipt by the Patent Office was date stamped on January 7, 2002. Presumably the long delay is due to the postal issues that occurred during the anthrax mail scare at that time. For the convenience of the Examiner, Applicants have enclosed copies of the documents including the statement under 37 CFR 3.73(b) and the returned postcard. In view of these documents, Applicants submit that the office action was not correct in stating that a statement under 37 CFR 3.73(b) was not filed.

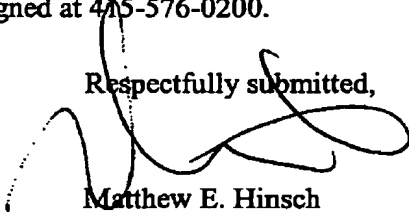
Applicants have also included a new terminal disclaimer that includes the title (Patent Manager) of the signer.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


Matthew E. Hinsch
Reg. No. 47,651

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
Attachments
MEH:meh
#60507567